

## **BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, October 23, 2007 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark Kinser, Chairman  
Robert M. Kirby  
Jack Miller  
Jeffrey Modisett  
Michael Redifer  
Troy Smith  
Deborah Lynn Tomlin  
Wyatt H. Walton  
Dorothy Wood

Board Members absent from the meeting were: Mark Cronin, Ken Hart and Ann Rackas Pate.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director  
Eric L. Olson, Executive Director  
Steven Jack, Assistant Attorney General  
Karen Kenney, Administrative Assistant  
Earlyne Perkins, Legal Analyst  
Victoria Traylor, Legal Analyst  
Nick Christner, Deputy Director, CID  
Bonnie Rhea Adams, Director, CAR  
Trisha Henshaw, Licensing & Education Administrator  
Sheila Watkins, Administrative Staff Assistant  
Adrienne Mayo, Regulatory Boards Administrator

Chairman Mark Kinser called the meeting to order at 9:08 a.m. and declared a Quorum of board members was in attendance.

**Call  
To Order**

A motion was made by **Ms. Wood** and seconded by **Mr. Smith** to approve the agenda as written. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Approval of the  
Agenda**

**Cronin, Hart and Rackas Pate were absent.**

**Ms. Wood** moved to approve the following minutes as submitted from the:

**Approval of Minutes**

September 11, 2007, Board for Contractor Meeting  
August 8, 2007 Informal Fact Finding Conference  
August 23, 2007 Informal Fact Finding Conference  
August 28, 2007 Informal Fact Finding Conference  
September 5, 2007 Informal Fact Finding Conference  
September 11, 2007 Informal Fact Finding Conference  
September 13, 2007 Informal Fact Finding Conference

**Mr. Smith** seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

There was no public comment.

**Public Comment  
Period**

**In the matter of Recovery Fund File Number 2006-04644, Shelvy Hunt (Claimants) vs. Eric Crafton t/a Crafton's Home Improvements (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Eric Crafton t/a Crafton's Home Improvements (Regulant)** did not appear at the board meeting. **Shelvy Hunt (Claimant) was not present** at the board meeting when the Board heard this case. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and deny the claim for payment. The motion passed by unanimous vote. Members voting "Yes" were:

**File Number  
2006-04644  
Shelvy Hunt vs. Eric  
Crafton t/a Crafton's  
Home Improvements**

**Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.**

**After further discussion and the late arrival of Shelvy Hunt and a motion made by Ms. Wood and seconded by Mr. Smith to re-open this case in order to give Ms. Hunt an opportunity to address the Board. The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Kirby, Smith, Tomlin, Walton, and Wood.**

**Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.**

**Cronin, Hart and Rackas Pate were absent.**

**After further discussion and motion by Ms. Wood and seconded by Mr. Smith to remand this case to an Informal Fact Finding Conference in order to determine ownership of real property and review the amount of the claim. The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Kirby, Smith, Tomlin, Walton, and Wood.**

**Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2006-0734, Margaret Tull (Claimants) vs. Michael Castiglia t/a Castiglia's Exterior Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Michael Castiglia t/a Castiglia's Exterior Remodeling (Regulant) did not appear at the board meeting. Margaret Tull (Claimant) did not appear at the board meeting. Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$5,638.00. The motion passed by unanimous vote. Members voting "Yes" were:**

**File Number  
2006-02734  
Margaret Tull vs.  
Michael Castiglia t/a  
Castiglia's Exterior  
Remodeling**

**Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**In the matter of Recovery Fund File Number 2007-02020, Pam Ripley (Claimants) vs. Bryant Barrett t/a Barrett's Contracting (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bryant Barrett (Regulant)** did not appear at the board meeting. **Pam Ripley (Claimants)** did appear at the board meeting. She addressed the Board. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$3,491.45. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2007-02020**  
**Pam Ripley vs.**  
**Bryant Barrett t/a**  
**Barrett's Contracting**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**In the matter of Recovery Fund File Number 2007-02108, Christopher & Sarah Parker (Claimants) vs. Evan Bruhn (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Evan Bruhn (Regulant)** did not appear at the board meeting. **Christopher & Sarah Parker (Claimants)** did not appear at the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2007-02108**  
**Christopher & Sarah**  
**Parker vs. Evan**  
**Bruhn**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**In the matter of Recovery Fund File Number 2007-02150, Rodney & Sharon Roof (Claimants) vs. Jason Richard Saint Vincent t/a Moose and Squirrel Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jason Richard Saint Vincent t/a Moose and Squirrel Construction (Regulant)** did not appear at the board meeting. **Rodney Roof (Claimant)** did appear at the board meeting. He addressed the Board **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Smith** and seconded by **Mrs. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$8,686.28. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2007-02150**  
**Rodney & Sharon**  
**Roof vs. Jason Saint**  
**Vincent t/a Moose and**  
**Squirrel Construction**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**In the matter of Recovery Fund File Number 2007-02185, Vinod Kompally (Claimant) vs. Robert Rice t/a Rice enterprises Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert Rice t/a Rice Enterprises Construction (Regulant)** did not appear at the board meeting. **Vinod Kompally (Claimant)** appeared at the board meeting and shared his agreement. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Milelr** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$8,345.50. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2007-02185**  
**Vinod Kompally vs.**  
**Robert Rice t/a Rice**  
**Enterprises**  
**Construction**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**In the matter of Recovery Fund File Number 2007-02220, Lisa Clements (Claimant) vs. Pedro Moreno t/a PJ General Services (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Pedro Moreno t/a P J General Services (Regulant)** did not appear at the board meeting. **Lisa Clements (Claimant)** did appear at the board meeting. She addressed the Board. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$11,334.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**The Board to a break at 10:50 A.M. and reconvened at 11:00 A.M.**

**In the matter of Recovery Fund File Number 2007-02256, Dorothy Wine (Claimant) vs. Capital Asphalt Paving, Inc (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Capital Asphalt Paving, Inc (Regulant)** did not appear at the board meeting. **Dorothy Wine (Claimant)** appeared at the board meeting and addressed the board. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Wood** to recess and allow Mrs. Wine time to deliberate with her spouse. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**The Board reconvened this case with a motion from Modisett**

**File Number**  
**2007-02220**  
**Lisa Clements vs.**  
**Pedro Moreno t/a PJ**  
**General Services**

**Break and**  
**Reconvened**

**File Number**  
**2007-02256**  
**Dorothy Wine vs.**  
**Capital Asphalt**  
**Paving, Inc.**

and second from Ms. Wood. Mrs. Wine addressed the board and it was shared with her that \$12,038.00 had been paid from the Recovery Fund on behalf of Capital Asphalt Paving, Inc. After discussion a motion was made by Modisett to remand this case to an IFF and the claimant would then present receipts for repairs completed and amend the request. This was seconded by Walton. The motion passed with a "yes" vote of 5 and a "no" vote of 3. Members voting yes were: Kinser, Miller, Modisett, Smith and Walton.

Members voting no were: Tomlin, Wood and Kirby.

Cronin, Hart and Rackas Pate were absent.

Mrs. Wine shared with the Board she did not wish to accept the \$11,441.00 the Board was prepared to offer her and that she would take her chances and come back before the Board at a later date. The case was tabled by a motion from Mr. Modisett and seconded by Mr. Smith. The motion passed with a unanimous vote. Members voting were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

Later during the meeting, Mrs. Wine requested the case be reopened. Upon a motion by Mr. Modisett seconded by Mr. Smith case 19 on the agenda was reopened. Mrs. Wine addressed the board and indicated that she thanks the board for its patience and she will accept the \$11,441.00 if the Board would give it to her. Mrs. Wood offered a motion to adopt the hearing officer's recommendation and pay the claim in the amount of \$11,441.00. Mr. Smith seconded the motion. The motion passed with a unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

In the matter of Recovery Fund File Number 2007-02347, Fidelity Construction Inc., t/a Fidelity Construction Custom Homes (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Fidelity Construction Inc., t/a

File Number  
2007-02347  
Royce Macken vs.  
Fidelity Construction  
Inc t/a Fidelity

**Fidelity Construction Custom Homes (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Royce Macken (Claimant)** appeared at the IFF, but did not appear at the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$2,437.28.00. **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-02556, Cooper Hill Construction and Remodeling (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cooper Hill Construction and Remodeling (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **J Mark Imperial (Claimant)** appeared at the IFF, but did not appear at the board meeting. **M. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-02603, Artistic Contracting Company, t/a Artistic Decks/Artistic Deck Company (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Artistic Contracting Company, t/a Artistic Decks/Artistic Deck Company (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Barry Blakmon (Claimant)** and his attorney appeared at the IFF, but did not appear at the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim

**Construction Custom Homes**

**File Number  
2007-02556  
J. Mark Imperial v.  
Cooper Hill  
Construction and  
Remodeling**

**File Number  
2007-02603  
Barry Blackmon v.  
Artistic Contracting  
Company, t/a Artistic  
Decks/Artistic Deck  
Company**



review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$6,602.84.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-02040, Dynasty Developers, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Dynasty Developers, Inc. (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. Warren & Elaine Howell (Claimants) appeared at the IFF. Elaine Howell appeared at the board meeting. Mr. Hollar, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Walton and seconded by Mr. Kirby to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$11,831.75**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-00241, Robert Maher, t/a Twin Star Gold (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Robert Maher, t/a Twin Star Gold (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. Dorassa Fields (Claimant) appeared at the IFF and the board meeting. Mr. Holler, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Smith to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$3,750.00.**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number  
2006-02040  
Warren & Elaine  
Howell v Dynasty  
Developers, Inc.**

**File Number  
2007-00241  
Dorassa Fields v  
Robert Maher, t/a  
Twin Star Gold**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-00242, Roy Boivin (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Roy Boivin (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Allen Ravanpak (Claimant)** did not appear at the IFF, but appeared at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$11,194.47

**File Number**  
**2007-00242**  
**Allen Ravanpak v**  
**Roy Boivin**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-00630, Priority Construction Corporation (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Priority Construction Corporation (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Imogene Zoll (Claimant)** appeared at the IFF, but did not appear at the board meeting. **William O'Brian**, attorney for Ms. Zoll, appeared at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Miller** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00.

**File Number**  
**2007-00630**  
**Imogene Zoll v**  
**Priority Construction**  
**Corporation**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Mr. Kirby abstained from voting.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-00744, Priority Construction Corporation (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Priority Construction Corporation (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **John Lowitz (Claimant)** appeared at the IFF, but did not appear at the board meeting. **Jennifer Lowitz** and **William O'Brian**, attorney for **Lowitz**, appeared at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00.

**File Number**  
**2007-00744**  
**John Lowitz v**  
**Priority Construction**  
**Corporation**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Mr. Kirby abstained from voting.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-01020, Yuri Starostine and Yulia Chugunova (Claimant(s)), vs. Ann Masuda t/a Perfect Solution (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ann Masuda t/a Perfect Solution (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Yuri Starostine (Claimant)** appeared at the IFF, and at the board meeting. She addressed the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Miller** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00.

**File Number**  
**2007-01020**  
**Yuri Starostine &**  
**Yulia Chugunova v**  
**Ann Masuda t/a**  
**Perfect Solution**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-01416- Ilona Peterson (Claimant(s)), vs. United American, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **United American, Inc (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Ilona Peterson (Claimant)** appeared at the IFF, and at the board meeting. She addressed the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$10,000.00.

**File Number**  
**2007-01416**  
**Ilona Peterson vs.**  
**United American, Inc**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-01418- Andrew and Rebecca Alabi (Claimant(s)), vs. Dennis Gordon t/a Gordons Masonry (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dennis Gordon t/z Gordons Masonry (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Andrew Alabi (Claimant)** appeared at the IFF, and at the board meeting. He addressed the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Me. Smith** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$6,588.00.

**File Number**  
**2007-01418**  
**Andrew and Rebecca**  
**Alabi vs. Dennis**  
**Gordon t/a Gordons**  
**Masonry**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Recovery Fund File Number 2007-01651 Jerome and Christine Fasano (Claimant(s)), vs. G & M Homes, LLC Number Three (Regulant);** the board reviewed the record,

**File Number**  
**2007-01651**  
**Jerome and Christine**

which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Gary Grim for G & M Homes, LLC Number Three (Regulant)** appeared at the IFF and the board meeting. He addressed the Board. **Peter Graffis attorney for Jerome & Christine Fasano (Claimants)** appeared at the IFF, and at the board meeting. He addressed the board. **Mr. Kinser** and **Mr. Hollar**, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote. **Mr. Kirby** chaired this case. After discussion and advice from the Board's legal counsel, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to remand the case and send it back into an informational proceeding until the court has made a ruling in the **Grim and G & M Homes, LLC Number Three** bankruptcy case.

**Fasano vs. G & M  
Homes, LLC Number  
Three**

**The motion passed by unanimous vote. Members voting yes were: Miller, Modisett, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Kinser was not present and did not vote in this matter.**

**In the matter of Recovery Fund File Number 2007-01828-Wayne and Candace Saunders (Claimant(s)), vs. Frank Whitley, Jr. t/a Whitley's Home Repairs (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Frank Whitley, Jr. t/a Whitley's Home Repairs (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Wayne and Candace Saunders (Claimant)** appeared at the IFF, and at the board meeting. They addressed the board with their concerns over the dollar amount. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$12,271.42.

**File Number  
2007-01828  
Wayne & Candace  
Saunders vs. Frank  
Whitley, Jr. t/a  
Whitley's Home  
Repairs**

**The motion passed by majority vote of 7 "yes" and 2 "no". Members voting "yes" were: Miller, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Members voting "no" were: Kinser and Modisett.**

Upon the late arrival of Arthur Bredemeyer the attorney for the Saunders' and at their request a motion was offered by **Mr. Smith** and seconded by **Mr. Walton** to reopen the case. The motion was unanimously approved. Members voting yes were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

Mr. Bredemeyer addressed the Board.

After further discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to accept the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$12,271.42 as written. The motion was approved by majority vote of 8 yes and 1 no. Members voting "Yes" were: **Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

**Mr. Kinser** voted "no."

**Cronin, Hart and Rackas-Pate were absent.**

In the matter of Recovery Fund File Number 2007-01943-Vincent Dean (Claimant(s)), vs. G & M Homes, LLC Number Three (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Gary Grim** for **G & M Homes, LLC Number Three (Regulant)** appeared at the IFF and the board meeting. He addressed the Board. **Peter Graffis** attorney for **Vincent Dean (Claimant)** appeared at the IFF, and at the board meeting. He addressed the board. **Mr. Kinser** and **Mr. Hollar**, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote. Mr. Kirby chaired this case. After discussion and advice from the Board's legal counsel, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to remand the case and send it back into an informational proceeding until the court has made a ruling in the Grim and G & M Homes, LLC Number Three bankruptcy case.

File Number  
**2007-01943**  
**Vincent Dean vs. G & M Homes LLC, Number Three**

The motion passed by unanimous vote. Members voting yes were: **Miller, Modisett, Redifer, Kirby, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**Kinser was not present and did not vote in this matter.**

**In the matter of the matter of Recovery Fund File Number 2008-00133- Prima Facie, Melvin and Rhonda Pittman (Claimants) vs. Michael Andrews, t/a Andrew's Construction (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Michael Andrews (Regulant)** did not appear at the board meeting. **Melvin and Rhonda Pittman (Claimants)** appeared at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2008-00133**  
**Melvin and Rhonda**  
**Pittman vs. Michael**  
**Andrews t/a**  
**Andrew's**  
**Construction**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of the matter of Recovery Fund File Number 2008-00272- Prima Facie, Jeffrey George (Claimant) vs. BP Paving, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **BP Paving, Inc. (Regulant)** did not appear at the board meeting. **Jeffrey George (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$1,716.00. **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2008-00272**  
**Jeffrey George vs. BP**  
**Paving, Inc.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of the matter of Recovery Fund File Number 2008-00653- Prima Facie, Marjorie Ann Bower(Claimant) vs. Kastech Incorporated (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Katech Incorporated (Regulant)** did not appear at the board meeting. **Steve Owen** on behalf of **Marjorie Ann Bower (Claimants)** appeared at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**File Number**  
**2008-00653**  
**Marjorie Ann Bower**  
**vs. Kastech**  
**Incorporated**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of License Application File Number 2008-00305, John Mark Bellamy, t/a JB'S Home Improvements, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2008-00305  
John Mark Bellamy,  
t/a JB'S Home  
Improvements**

**Applicant John Mark Bellamy appeared at the IFF. He appeared at the Board meeting. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license.**

**The motion was approved by majority vote of 8 yes and 1 no. Members voting "Yes" were: Kinser, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

**Mr. Kirby voted "no."**

**Cronin, Hart and Rackas-Pate were absent.**

**In the matter of License Application File Number 2008-00306, Gary Cool, Jr, t/a MC Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2008-00306  
Gary Cool, Jr., t/a  
MC Construction**

**Applicant Gary Cool, Jr. appeared at the IFF and the Board meeting. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (it is noted that license number 2705-116787 instead of 2705-092225 should have been referenced in the Summary) and issue the license.**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of License Application File Number 2008-00537, Thomas Weston, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary**

**File Number  
2008-00537  
Thomas Weston**



of the Informal Fact-Finding Conference.

**Applicant Thomas Weston** appeared at the IFF. He did appear at the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of License Application File Number 2008-00540, Sydney Roosevelt Storr, Jr.,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2008-00540  
Sydney Roosevelt  
Storr, Jr.**

**Applicant Sydeny Roosevelt Storr, Jr.** appeared at the IFF. He appeared at the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Disciplinary File Number 2006-03348, Mitchell Services, Inc. (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Samuel Joseph Mitchell on behalf of Mitchell Services, Inc. (Respondent)** appeared at the IFF and the board meeting. Mr. Mitchell addressed the board. **John and Alicia Keith (Complainants) and Linda Stump (Witness)** appeared at the IFF and the board meeting. The complainants addressed their disagreement with the recommendations. Ms. Stump addressed the Board.

**File Number  
2006-03348  
Mitchell Services, Inc.**

As the Board Representatives, **Mr. Redifer and Mr. Kirby** were not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference. The Board found **Mitchell Services, Inc.**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 6	

The motion passed by unanimous vote. Members voting yes were: **Kinser, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$350.00	Remedial Education
----------	----------	--------------------

The motion passed by unanimous vote. Members voting yes were: **Kinser, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

After discussion a motion was offered by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions:

Count 2:	\$750 00	Remedial Education
----------	----------	--------------------

The motion failed. Members voting "No" were: **Modisett, Walton, Kinser and Miller**

**Wood, Tomlin and Smith voted "Yes."**

**Cronin, Hart and Rackas-Pate were absent.**

After additional discussion a motion was again offered by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions:

Count 2:	\$750 00	Remedial Education
----------	----------	--------------------

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

After further discussion a motion was made by **Mr. Smith** and seconded by **Mr. Miller** to amend Count 3 addressed in the Summary to as follows. Mr. Smith felt the evidence supported that the violation rose to the level of misconduct instead of lack of communication and the sanction as follows:

Count 3:	\$750.00	Remedial Education
----------	----------	--------------------

The motion failed. Members voting "No" were: **Modisett, Walton, Tomlin and Wood.**

**Miller, Smith and Kinser** voted 'Yes '

After further discussion a motion was made by **Mr. Walton** and seconded by **Mr. Miller** to adopt Count 3 as addressed in the Summary and recommendations with the violation being addressed as lack of communication and the sanction as follows:

Count 3:	\$750.00	Remedial Education
----------	----------	--------------------

**The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

At the completion of the voting the sanctions were adopted as followed:

Count 1:	\$350.00	
Count 2:	\$750.00	
Count 3:	\$750.00	
Total		\$1,850.00

The Board required Mitchell Services Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.

As to Count 4, the Board found no violation.

As to Count 3, the Board voted to find a violation and impose a

monetary penalty. The Board is of the opinion that due to the contract price being critically over the estimate, and that the complainants would have a reasonable expectation that Mitchell Services Incorporated were aware of the gross overage and failed to communicate that overage, and due to that lack of communication the Board voted that the conduct rises to the level of misconduct.

**In the matter of Disciplinary File Number 2006-05167, East Coast Concrete and Contractors Group (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither East Coast Concrete and Contractors Group (Respondent)** nor anyone on its behalf attended the IFF or the Board meeting. Victoria Nwaobasi, on behalf of FCW Justice, Inc.(Complainant) attended the IFF but not the board meeting.

**File Number**  
**2006-05167**  
**East Coast Concrete**  
**and Contractors**  
**Group**

As the Board Representative, **Mr. Redifer** was not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **East Coast Concrete and Contractors Group**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 14	
Count 2:	18 VAC 50-22-260 B 5	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18VAC 50-22-260 B 28 (four counts)	
Court 5:	18 VAC 50-22-260 B 13	

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to impose the following sanctions:

Board for Contractors Meeting Minutes

October 23, 2007

Page 21 of 44

Count 1:	\$1,000.00	
Count 2:	\$1,500.00	
Count 3:	\$1,000.00	
Count 4:	\$2,000.00 4 counts @ \$500.00 each count	
Count 5:	\$1,000.00	
Total		\$6,500.00
The Board voted to require East Coast Concrete and Contractors Group have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		
The Board also imposed revocation East Coast Concrete and Contractors Group license (Number 2705-087176).		

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Mr. Redifer was not present and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**I In the matter of Disciplinary File Number 2007-00082, Outdoor Maintenance Service, LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Outdoor Maintenance Service, LLC (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting..**

**File Number  
2007-00082  
Outdoor Maintenance  
Service, LLC**

As the Board Representative, **Mr. Redifer** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Outdoor Maintenance Service, LLC**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 27	

Effective September 1, 2001

Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 14	
Count 5:	18 VAC 50-22-260 B 16	
Count 6:	18 VAC 50-22-260 B 31	
Count 7:	18 VAC 50-22-260 B 13	

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$750.00	
Count 3:	\$350.00	
Count 4:	\$1,500.00	
Count 5:	\$750 00	
Count 6:	\$500.00	
Count 7:	\$1,000 00	
Total		\$5,200.00
The Board voted to require Outdoor Maintenance Service LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		
The Board also imposed revocation Outdoor Maintenance Service LLC license (Number 2705-083165).		

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Mr. Redifer was not present and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Disciplinary File Number 2007-02766, Godwin Electrical Services LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Willie Godwin on behalf of Godwin Electrical Services LLC**

**File Number  
2007-02766  
Godwin Electrical  
Services LLC**

**(Respondent)** appeared at the IFF and the Board meeting. Jon Lindberg (Complainant) appeared at the IFF but not the board meeting. Mr. Lindberg agreed with the recommendations via a letter which was presented to the board.

As the Board Representative, **Mr. Redifer** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Godwin Electrical Services LLC**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-230 A	
Count 3:	18 VAC 50-22-260 B 8	

Effective February 1, 2006

Count 4:	18 VAC 50-22-260 B 9	
----------	----------------------	--

Effective September 1, 2001

Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 12	

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$750.00	
Count 2:	\$250.00	
Count 3:	\$350.00	
Count 4:	\$250.00	
Count 5:	\$1,000.00	

Count 6:	\$350.00	
Total		\$2,950.00
The Board voted to require Godwin Electrical Services LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Mr. Redifer was not present and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**The board took a break for lunch at 12:15 P.M. and reconvened at 1:00 P.M.**

**Break and  
Reconvened**

**In the matter of Consent Order File Number 2007-00051, Board v. Mayhue Maintenance LLC, t/a Mayhue Maintenance LLC, the Board reviewed the Consent Order.**

**File Number  
2007-00051  
Mayhue Maintenance  
LLC, t/a Mayhue  
Maintenance LLC**

**Mayhue Maintenance LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260 B 8	\$400.00
Board costs		\$150.00
Total		\$550.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

**Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-00368, Board v. Claude L Henderson Jr, t/a Henderson Construction, the Board reviewed the Consent Order.**

**2007-00368  
Claude L Henderson  
Jr, t/a Henderson  
Construction**

**Claude L Henderson, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1	18 VAC 50-22-260 B 8	\$15000
---------	----------------------	---------



Board costs		\$0.00
Total		\$150.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.

Mr. Redifer did not participate and did not vote.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-00576, Board v. Candice Dimarchi, t/a Homes By Candice, the Board reviewed the Consent Order.

File Number  
2007-00576  
Candice Dimarchi, t/a  
Homes By Candice

Candice Dimarchi, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.18	\$500.00
Board costs		\$150.00
Total		\$650.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-00655, Board v. Brandy G Perez, t/a All Wood Flooring/Flooring Installation, the Board reviewed the Consent Order.

File Number  
2007-00655  
Brandy G Perez, t/a  
All Wood  
Flooring/Flooring  
Installation

Brandy G Perez, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of Responsible Management must successfully		

complete a Board-approved remedial education class.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-00706, Board v. New Image Home Improvement LP,** the Board reviewed the Consent Order.

**File Number**  
**2007-00706**  
**New Image Home**  
**Improvement LP**

Mr. Mervin Dandridge of New Image Home Improvement LP attended the Board meeting.

**New Image Home Improvement LP**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$0.00
Board costs		\$150.00
Total		\$150.00

It is noted that a member of Responsible Management for New Image Home Improvement LP was required to complete remedial education pursuant to the terms of the Consent Order entered into on January 24, 2006.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-00762, Board v. Patrick Millehan Jr, t/a Millehan and Associates Builders,** the Board reviewed the Consent Order.

**File Number**  
**2007-00762**  
**Patrick Millehan Jr,**  
**t/a Millehan and**  
**Associates Builders**

**Patrick Millehan Jr**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$25000
Count 2:	18 VAC 50-22-260 B 29	\$4,200.00

Board for Contractors Meeting Minutes

October 23, 2007

Page 27 of 44

	(seven violations @ \$600.00 each)	
Count 3:	18 VAC 50-22-260 B 31 (The Board identified this as a correction from 18 VAC 50-22-260 B 30 to B 31)	\$750.00
Board costs		\$150.00
Total		\$5,350.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Mr. Walton did not participate and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-01052, Board v. Blue Ridge Property Development Inc, t/a Blue Ridge Property Development Inc , the Board reviewed the Consent Order.**

**File Number  
2007-01052  
Blue Ridge Property  
Development Inc, t/a  
Blue Ridge Property  
Development Inc**

**Blue Ridge Property Development Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1.	18 VAC 50-22-260 B 31	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-01338, Board v. Tim Young's Painting LLC, t/a Tim Young's Painting**

**File Number  
2007-01338**

LLC, the Board reviewed the Consent Order.

**Tim Young's Painting  
LLC, t/a Tim Young's  
Painting LLC**

**Tim Young's Painting**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$400.00
Count 2:	18 VAC 50-22-230 A	\$400.00
Count 3:	18 VAC 50-22-260 B 6	\$600.00
Board costs		\$150.00
Total		\$1,550.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Tomlin, Walton, and Wood.**

**Mr. Smith did not participate and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-01977, Board v. Heiston Construction Inc, t/a Heiston Construction Inc,** the Board reviewed the Consent Order.

**File Number  
2007-01977  
Heiston Construction  
Inc, t/a Heiston  
Construction Inc**

**Heiston Construction Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$600.00
Board costs		\$150.00
Total		\$750.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Tomlin, Walton, and Wood.**

**Mr. Smith did not participate and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-01999,**

**File Number**

**Board v. enterprise Builders Construction Inc**, the Board reviewed the Consent Order.

**2007-01999**  
**Enterprise Builders**  
**Construction Inc**

**Enterprise Builders Construction Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$100.00
Board costs		\$150.00
Total		\$250.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-02067, Board v. Ace Handyman & Remodeling of the Peninsula Inc**, the Board reviewed the Consent Order.

**File Number**  
**2007-02067**  
**Ace Handyman &**  
**Remodeling of the**  
**Peninsula Inc**

**Ace Handyman & Remodeling of the Peninsula Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$1,500.00
Board costs		\$150.00
Total		\$1,650.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-02136, Board v. Richard Porter Stanley Jr, t/a F & H Paving**, the Board reviewed the Consent Order.

**File Number**  
**2007-02136**  
**Richard Porter**  
**Stanley Jr, t/a F & H**

**Richard Porter Stanley Jr**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$350.00
Count 2:	18 VAC 50-22-230 A	\$1,000.00
Board costs		\$150.00
Total		\$1,500.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

**Paving**

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02330, Board v. Okay Construction Inc, t/a Okay Construction Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02330  
Okay Construction  
Inc, t/a Okay  
Construction Inc**

**Okay Construction Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$300.00
Board costs		\$150.00
Total		\$450.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02333, Board v. Weatherholtz Inc, t/a Stephen L Weatherholtz Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02333  
Stephen L  
Weatherholtz Inc, t/a  
Stephen L  
Weatherholtz Inc**

**Stephen L Weatherholtz Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$300.00
----------	----------------------	----------

Board costs		\$150.00
Total		\$450.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-02354 Board v. Perma Ceram of Virginia Inc, the Board reviewed the Consent Order.

File Number  
**2007-02354**  
**Perma Ceram of**  
**Virginia Inc**

Perma Ceram of Virginia Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$0.00
Count 2:	18 VAC 50-22-260 B 9	\$0.00
Count 3:	18 VAC 50-22-260 B 27	\$0.00
Count 4:	18 VAC 50-22-260 B 13	\$0.00
Board costs		\$0.00
Total		\$0.00
Further, for violations of Counts 1-4, Perma Ceram of Virginia Inc agrees to voluntary revocation of its license.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote. Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-02372, Board v. White Oak Contractors LLC, t/a White Oak Contractors LLC, the Board reviewed the Consent Order.

File Number  
**2007-02372**  
**White Oak**  
**Contractors LLC, t/a**  
**White Oak**  
**Contractors LLC**

White Oak Contractors LLC, t/a White Oak Contractors LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 30	\$1,200.00
Count 2:	18 VAC 50-22-260 B 13	\$1,300.00
Board costs		\$150.00

Total	\$2,650.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.	

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02643, Board v. Candice Dimarchi, t/a Homes By Candice, the Board reviewed the Consent Order.**

**File Number  
2007-02643  
Candice Dimarchi, t/a  
Homes By Candice**

**Candice Dimarchi, t/a Homes By Candice, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260 B 18	\$500.00
Board costs		\$150.00
Total		\$650.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02649, Board v. B & M Construction Inc, t/a B & M Construction Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02649  
B & M Construction  
Inc, t/a B & M  
Construction Inc**

**B & M Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Board costs		\$150.00
Total		\$150.00

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board



ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-02650, Board v. b & K Contractors Inc, the Board reviewed the Consent Order.

File Number  
**2007-02650**  
**B & K Contractors,**  
**Inc**

**B & K Contractors Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Board costs		\$150.00
Total		\$150.00

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

In the matter of Consent Order File Number 2007-02688, Board v. Danny Jack Mangus, t/a Mangus Construction, the Board reviewed the Consent Order.

File Number  
**2007-02688**  
**Danny Jack Mangus,**  
**t/a Mangus**  
**Construction**

**Danny Jack Mangus**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$150.00
Count 2:	18 VAC 50-22-260 B 13	\$150.00
Board costs		\$150.00
Total		\$450.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.

Cronin, Hart and Rackas Pate were absent.

**In the matter of Consent Order File Number 2007-02745, Board v. Fontaine I Pate, t/a F & F General Contractor, the Board reviewed the Consent Order.**

**File Number  
2007-02745  
Fontaine I Pate, t/a F  
& F General  
Contractor**

**Fontaine I Pate, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260 B 22	\$0.00
Count 2:	18 VAC 50-22-260 B 23	\$0.00
Board costs		\$150.00
Total		\$150.00
In addition for violation of Counts 1 and 2, Fontaine I Pate agrees to revocation of her license Number 2705-035010.		

**Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02794, Board v. K & B Custom Homes Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02794  
K & B Custom  
Homes Inc**

**K & B Custom Hones, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	§54.1-1110 of the Code of Virginia	\$50.00
Count 2:	18 VAC 50-22-260 B 2	\$500.00
Board costs		\$150.00
Total		\$650.00

**In addition for violation of Count 1, K & B Custom Homes Inc agrees to the following terms:**

- 1. K & B Custom Homes Inc. must satisfy the outstanding monetary penalties associated with the Final Opinion and Order for File Number 2004-00466, Robert Haymaker, t/a total Concrete.**
- 2. K & B Custom Homes Inc.'s Designated Employee, Robert Haymaker, must successfully re-take and complete the Designated Employee exam.**
- 3. Robert haymaker must also successfully complete a**

Board-approved remedial education class.
--

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02795, Board v. Capitol Development Corporation LLC, the Board reviewed the Consent Order.**

**File Number  
2007-02795  
Capitol Development  
Corporation LLC**

Mr. Darnell Carpenter of Capitol Development Corporation LLC attended the Board meeting.

**Capitol Development Corporation LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Count 2:	18 VAC 50-22-260 B 13	\$1,300.00
Board costs		\$150.00
Total		\$1,450.00
In addition for violation of Counts 1 and 2, Capitol Development Corporation LLC agrees to revocation of its license Number 2705-101930. A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by Ms. Wood seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-02963, Board v. Tile Pros Inc, t/a Tile Pros Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02963  
Tile Pros Inc, t/a Tile  
Pros Inc**

**Tile Pros Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260 B 8	\$350.00
----------	----------------------	----------

Count 2:	18 VAC 50-22-260 B 27	\$700.00
Count 3:	18 VAC 50-22-260 B 15	\$0.00
Board costs		\$150.00
Total		\$1,200.00
In addition for violation of Count 3, Tile Pros Inc agrees to revocation of its license Number 2705-079362.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Walton, and Wood.**

**Ms. Tomlin did not participate and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03163, Board v. Troy W Sebra Inc, the Board reviewed the Consent Order.**

**File Number  
2007-03163  
Troy W Sebra Inc**

**Troy W Sebra Inc.,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Board costs		\$150.00
Total		\$150.00
In addition for violation of Count 1, Troy W Sebra agrees to satisfy the monetary penalties in accordance with File Number 2006-03294. A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03347, Board v. In His Image (IHI) LLC, t/a In His Image (IHI) LLC, the Board reviewed the Consent Order.**

**File Number  
2007-03347  
In His Image (IHI)  
LLC, t/a In His Image  
(IHI) LLC**

**In His Image (IHI) LLC,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's

**Board for Contractors Meeting Minutes**

**October 23, 2007**

**Page 37 of 44**

**Regulations and consents to the following term(s) by the Board:**

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Board costs		\$150.00
Total		\$150.00
In addition for violation of Count 1, In His Image (IHI) LLC agrees to revocation of its license Number 2705-096360.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03579, Board v. Hamlet & Company, Inc., t/a Ocean Construction & Development, the Board reviewed the Consent Order.**

**File Number  
2007-03579  
Hamlet & Company  
Inc, t/a Ocean  
Construction &  
Development**

**Hamlet & Company Inc., t/a Ocean Construction & Development, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	§54.1-1110 of the Code of Virginia	\$0.00
Board costs		\$150.00
Total		\$150.00
In addition for violation of Count 1, Hamlet & Company Inc. agrees to reimburse the Contractor's Recovery Fund for payment of the claim in File Number 2004-03958.		
It is noted that a member of Responsible Management for Hamlet & Company Inc. was required to complete a Board-approved remedial education class pursuant to the terms of the Consent Order entered into on November 28, 2006.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03642, Board v. Donald Lee Shuey Jr., t/a Painting Unlimited, the**

**File Number  
2007-03642**

Board reviewed the Consent Order.

**Donald Lee Shuey  
Jr, t/a Painting  
Unlimited**

**Donald Lee Shuey Jr**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 5	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03701, Board v. Willie C Jones, t/a Jones Property Management, the Board reviewed the Consent Order.**

**File Number  
2007-03701  
Willie C Jones, t/a  
Jones Property  
Management**

**Willie C Jones**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$250.00
Count 2:	18 VAC 50-22-260 B 6 (four violations @ \$250.00 each)	\$1,000.00
Board costs		\$150.00
Total		\$1,400.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-03775, Board v. Stuart Lee Graham, t/a Stuart Lee Graham, the Board reviewed the Consent Order.**

**File Number  
2007-03775  
Stuart Lee Graham,  
t/a Stuart Lee**

**Stuart Lee Graham**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

**Graham**

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$800.00
Count 3:	18 VAC 50-22-260 B 27	\$650.00
Board costs		\$150.00
Total		\$1,950.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-03868, Board v. James Pitt III, t/a J P-4 Construction** the Board reviewed the Consent Order.

**File Number**  
**2007-03868**  
**James Pitt III, t/a J P-4Construction**

**James Pitt III**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$500.00
Count 2:	18 VAC 50-22-260 B 27	\$250.00
Board costs		\$150.00
Total		\$900.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2006-05349, Board v. Alan D Rosenbaum, t/a Alan's Electrical & Home Improvement**, the Board reviewed the Consent Order.

**File Number**  
**2006-05349**  
**Alan D Rosenbaum,**  
**t/a Alan's Electrical &**  
**Home Improvement**

**Alan D Rosenbaum**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's

Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$350.00
Count 2:	18 VAC 50-22-260 B 8	\$350.00
Count 3:	18 VAC 50-22-260 B 6	\$1,000.00
Count 4:	18 VAC 50-22-260 B 5	\$750.00
Count 5:	18 VAC 50-22-260.B 31	\$400.00
Board costs		\$150.00
Total		\$3,000.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kirby, Miller, Modisett, Smith, Tomlin, Walton, and Wood.**

**Mr. Kinser and Mr. Redifer did not participate and did not vote.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-01120, Board v. John Valentine & Co., the Board reviewed the Consent Order.**

**File Number  
2007-01120  
John Valentine & Co**

**John Valentine & Co.,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

**In the matter of Consent Order File Number 2007-00859, Board v. Terry A Stinson, t/a T & T Construction, the Board reviewed the Consent Order.**

**File Number  
2007-00859  
Terry A Stinson, t/a T  
& T Construction**



**Terry A Stinson**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$1,200.00
Count 2:	18 VAC 50-22-260 B 13	\$600.00
Board costs		\$150.00
Total		\$1,950.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Mr. Kirby** did not participate and did not vote.

**Cronin, Hart and Rackas Pate** were absent.

**In the matter of Consent Order File Number 2007-02239, Board v. Brian Brubaker, t/a Brubaker Construction Co,** the Board reviewed the Consent Order.

**File Number**  
**2007-02239**  
**Brian Brubaker, t/a**  
**Brubaker**  
**Construction Co.**

**Brian Brubaker**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$200.00
Count 2:	18 VAC 50-22-260 B 9	\$500.00
Count 3:	18 VAC 50-22-260 B 13	\$1,000.00
Count 4:	18 VAC 22-260 B 14	\$1,700.00
Count 5:	18 VAC 50-22-260 B 16	\$1,500.00
Board costs		\$150.00
Total		\$5,050.00
In addition for violation of Counts 4 and 5, Brian Brubaker agrees to revocation of his license.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Miller, Redifer, Smith, Tomlin, Walton, and Wood.**

**Mr. Modisett** did not participate and did not vote.

**Cronin, Hart and Rackas Pate** were absent.

**Other Board Business**

A motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt as final, regulations regarding the pre-license education requirements that had previously been emergency regulations.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to reject the request of Edward Kelly that his case be reopened in accordance with the provisions of the Serviceman's Civil Relief Act. The Board, with the assistance of counsel, determined that the Act did not protect a business entity and that Mr. Kelly's partner, a member of Responsible Management of the license, did attend and participate in the Informal Fact Finding Conference

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to allow instructors listed on the application of Board approved required education courses be given credit for courses that they actually teach. This request was made by the VBCOA and VPMIA who are the primary source of approved providers for tradesman continuing education.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to direct staff to commence the audit of educational courses, starting in January 2008. This was deemed to be necessary due, in part, to complaints and concerns staff has received from class participants. Also to allow certified trade-related building inspectors to count a single year of full time inspection experience, and the related training, as fulfilling the 240 hour education requirement for licensure set forth in 18 VAC 50-30-40 of the regulations, but that inspection experience does not meet the definition of practical experience in that same section.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to affirm the requirement that all tradesman CE courses must be approved by the Board in order to be counted towards the renewal requirements set forth in the regulations. This was done as staff has received dozens of inquires from inspectors complaining that DHCD has not had their code update courses approved, yet they are required in order to maintain one's inspection credentials.

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Cronin, Hart and Rackas Pate were absent.**

A motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to nominate Mr. Redifer as the Board representative on the Miss Utility Board upon the end of Mr. Kinser's appointment in December 2007. Mr. Redifer appointment was approved.

**New Business**

**The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

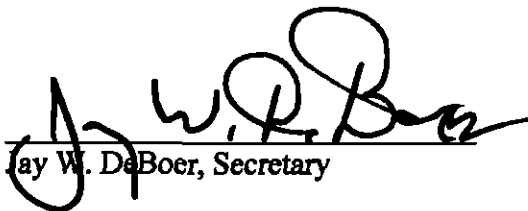
**Cronin, Hart and Rackas Pate were absent.**

Their being no further business to come before the board, the meeting was adjourned at 2:30 P.M. upon a motion by Mr. Kirby and seconded by Ms. Wood **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton, and Wood.**

**Adjourn-  
ment**

**Cronin, Hart and Rackas Pate were absent.**

  
\_\_\_\_\_  
Mark D. Kinser, Chairman

  
\_\_\_\_\_  
Jay W. DeBoer, Secretary

**Copy teste:**

\_\_\_\_\_  
Custodian of the Record

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Mark Kinser  
(Name of Board Member)
2. Title Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

- 5 I have a personal interest in the following transaction.

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

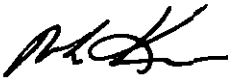
\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction

- 6 ☒ I do not have a personal interest in any transactions taken at this meeting

  
Signature

10/23/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Robert Kirby  
(Name of Board Member)
2. Title. Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

5. I have a personal interest in the following transaction:

None

(Agenda Item)

Nature of Personal Interest Affected by Transaction: N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

DELABY, INC, KIRBY & KIRBY ASSOC., LLC OF VT, BUILDERS & COMM. EXCH.

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Robert Kirby  
Signature

10/23/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name. Jack Miller  
(Name of Board Member)
2. Title. Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date. October 23, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction. \_\_\_\_\_


\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

10-23-07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

- 1 Name. Jeffrey Modisett  
(Name of Board Member)
- 2 Title: Board Member
3. Agency. Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

- 5 I have a personal interest in the following transaction:

None  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Capevit, Monahan & Dunn, Inc. ; Associated General Contractors Va.

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

- 6 ☒ I do not have a personal interest in any transactions taken at this meeting.

Jeffrey A. Modisett  
Signature

Oct. 23, 07  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Michael Redifer  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

5. I have a personal interest in the following transaction

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VRCA, VRCA ICC, NFPA IAET

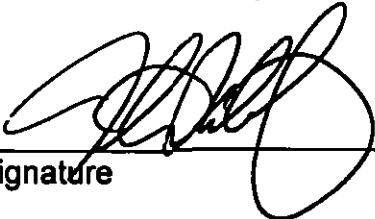
☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

10-23-07

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Troy Smith, Jr  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

5. I have a personal interest in the following transaction

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Troy Smith, Jr  
Signature

10-23-07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1 Name. Deborah Lynn Tomlin  
(Name of Board Member)

2. Title: Board Member

3 Agency. Board for Contractors Board Meeting  
(Name of Board)

4 Meeting/IFF Date: October 23, 2007  
(Date)

5 I have a personal interest in the following transaction:

NONE  
(Agenda Item)

Nature of Personal Interest Affected by Transaction. \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

☐ I am able to participate in this transaction fairly, objectively, and in the public interest

or

☐ I did not participate in the transaction

6. ☒ I do not have a personal interest in any transactions taken at this meeting

Deborah Tomlin  
Signature

10/23/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Wyatt H. Walton, III  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Board Meeting  
(Name of Board)
4. Meeting/IFF Date: October 23, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

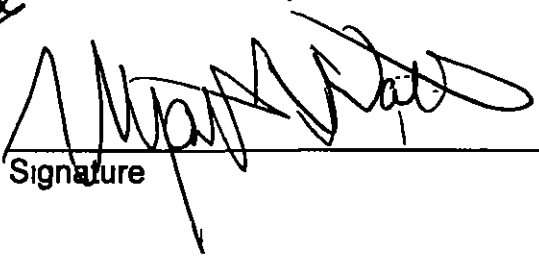
\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

- 6 ☒ I do not have a personal interest in any transactions taken at this meeting.

  
Signature

10/23/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

- 1 Name. Dorothy Wood  
(Name of Board Member)
- 2 Title. Board Member
- 3 Agency: Board for Contractors Board Meeting  
(Name of Board)
- 4 Meeting/IFF Date. October 23, 2007  
(Date)

- 5 I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

- ☒ I am able to participate in this transaction fairly, objectively, and in the public interest  
or  
☐ I did not participate in the transaction.

- 6 ☐ I do not have a personal interest in any transactions taken at this meeting.

Dorothy Wood  
Signature

10-23-07  
Date